

Western State Management of Wintering Elk

Document prepared for "Elk Feedgrounds: A Challenge We Can Take On" public collaborative process.

Ben Wise, Jackson Region Wildlife Disease Biologist

Wyoming Game and Fish Department

December 2021



Photo by Mark Gocke



Introduction:

Elk management in the western United States is complex and highly variable from state to state. Elk are managed by the respective state in which they reside, and individual state wildlife management agencies have developed policies for elk management that help meet individual state goals. State wildlife management agencies must weigh a variety of complex issues in developing and implementing elk management policy. There is often a multitude of biological, social, and political factors that influence elk populations and how elk are managed. Wintering elk populations pose a number of issues ranging from landowner tolerance, disease management, habitat availability, winter severity, and public demand for wildlife that have to be taken into consideration when developing management plans. One of the management tools that has been implemented throughout the western United States over the last century to mitigate issues related to wintering elk populations is supplemental feeding. The states that have implemented supplemental wildlife feeding programs did so in an effort to mitigate for loss of native winter ranges, disease management, damage/conflict, and loss of habitat connectivity due to expanding development (i.e., highways, subdivisions, rural and residential development, etc.). This document was created as a reference on elk management policy, including winter feeding policy in seven states; Wyoming, Montana, Idaho, Colorado, Utah, Oregon, and Washington (Table 1). **The information was compiled directly from respective state wildlife management agency publications, including State Wildlife Management Plan, Elk Management Plan, Habitat Management Plan, and Damage Management Plan publications, as well as any relevant state statutes and regulations.** This document should only be used as a reference, and additional questions about state wildlife management should be directed to the respective state wildlife management agency.

Table 1. Supplemental Winter Elk Feeding by State (as well as approximate numbers for reference)

State	Supplemental Winter Elk Feeding	Approximate number of Elk Fed/winter	Total Elk Population
<i>Wyoming</i>	YES	22,000-24,000	110,000 (2020)
<i>Idaho</i>	EMERGENCY	150-300	120,000 (2020)
<i>Montana</i>	NO	0	170,000 (2020)
<i>Colorado</i>	EMERGENCY	0	287,000 (2018)
<i>Utah</i>	YES	500-600	81,000 (2020)
<i>Oregon</i>	YES	1,200-8,000	126,000 (2019) *71,000 Rocky Mtn *55,000 Roosevelt
<i>Washington</i>	YES	Up to 4,300	60,000 (2020) *45,000 Rocky Mtn *15,000 Roosevelt

Wyoming

Elk Management:

- The Wyoming Game and Fish Department's (WGFD) management goals and objectives (e.g., bull-to-cow ratios, herd objectives, and hunting seasons) are set through a public review process that requires public input and a final departmental recommendation to be approved by the Wyoming Game and Fish Commission (Commission).
- Elk management in Wyoming is conducted on a regional basis by area managers and varies considerably throughout the state.
- Objectives are evaluated every five years to determine if any population objective changes are warranted. Any objective changes are approved by the Commission.
- Populations are managed to ensure healthy, sustainable populations of wildlife persist as well as allowing for sustainable harvest of wildlife by the public.
- Herd unit management objectives can be based on one (or more) of the following techniques;
 - A.) Post-season population objectives
 - B.) Mid-winter trend count objectives
 - C.) Landowner and hunter satisfaction objectives
- Population Management Strategies:
 - A.) Recreational - Hunting seasons are designed to maintain an adequate number of breeding animals in the population. The Recreational Management Strategy generally results in increased recreational opportunities for sportsmen.
 - B.) Special - Hunting seasons are designed to maintain higher post-season male ratios in pronghorn, mule deer, and elk herds, and older age class animals in bighorn sheep and moose herds. The Special Management Strategy results in a greater opportunity to harvest an older aged or larger male animal.
 - C.) Private Lands - The Private Land Management Strategy is used in areas where hunting access is very difficult. Local managers focus on building landowner relationships to facilitate access and hunter management.

Damage Prevention/Mitigation

- The WGFD is responsible for damage investigations, mitigation, and monetary payments regarding big game, trophy game, and game bird damages in accordance with statute (Wyoming Statute 23-1-901) and Commission regulations (chapter 28). In accordance with the law, landowners can submit a claim to the WGFD for compensation from wildlife damages.
- Measures used by WGFD personnel to prevent wildlife damage include scare devices, harassment techniques, repellents, fencing, trapping, issuing of "kill" permits, and modifying hunting seasons. In evaluating damage to estimate monetary losses, techniques used include animal counts and associated consumption rate and/or AUM conversation, fecal analysis, enclosures, production records, and necropsies.
- Common law in America, which has been continually reinforced in the United States courts, holds that the people of the state own the wildlife. No individual holds an absolute property right to wildlife regardless of the status of the land on which the animal is found. Since wildlife belongs to everyone, the courts contend that everyone must share in its keep. As a result, courts have ruled the states are immune from liability for damage caused by wild animals, unless the state assumes that responsibility. Wyoming has assumed limited liability through legislation for some species of wildlife and under specific circumstances.

- Wyoming Statute W.S. § 23-2-101(e) provides a funding source for the payment of big or trophy game animal and game bird damage claims. That source of funding is generated from a nonresident application fee of \$15 and a resident application fee of \$5 for any limited quota big or trophy game license issued through a drawing or for a wild bison license. The statute provides for 25% of the fees collected from license applications to be set aside to establish and maintain a fund of \$500,000 to compensate landowners or lessees for property damaged by big or trophy game animals and game birds.
- Wildlife damage management is a major component of the WGFD's Wildlife Management Program. Considerable efforts are made to prevent damage, including hazing, providing materials for stored crop stackyard fences, relocating trophy game animals, increasing harvest, depredation seasons, and, as a last resort, "kill" permits.
- A landowner may submit a verified claim requesting compensation for damage. Claimants must meet all statutory and regulatory requirements in notifying WGFD personnel and filing the claim. WGFD personnel investigate the claim and verify the claimed damage using guidelines established by the WGFD in The Handbook of Wildlife Depredation Techniques. Claimants who do not wish to accept the WGFD's offer of payment may appeal the claim to the Commission. If the claimant wishes to appeal the decision of the Commission, the claim may be taken to a three member arbitration board. If there is a "mistake of law" due to arbitrators exceeding their powers, the claim can be heard by the appropriate District Court.
- In accordance with Chapter 28, a claimant shall not be eligible to receive an award for damage caused by big game animals, trophy game animals, or game birds unless hunting for the species for which damage compensation is claimed has been permitted during authorized hunting seasons on the land for which the verified claim has been filed. For an award to be allowed, the claimant shall permit hunting during authorized hunting seasons if the species of big game animals, trophy game animals, or game birds for which the verified claim was filed were present on the claimant's privately owned or leased land and adjoining Federal or State land during authorized hunting seasons delineated in subsection (C) (1). If the species of big game animals, trophy game animals, or game birds for which the verified claim has been filed were not present on the claimant's privately owned or leased land and adjoining Federal or State land during the authorized hunting seasons as delineated in subsection (C) (1), for an award to be allowed the claimant shall permit hunting during authorized hunting seasons delineated in (C) (2) and (C) (3) if requested by the WGFD. The claimant shall permit hunting during authorized hunting seasons delineated in (C) (2) and (C) (3) without access fees to hunters or the WGFD.
 - A.) For a claimant to be eligible to receive an award for damage compensation on leased private land, the landowner of the leased private land shall not, in any manner, restrict hunting access for the species for which damage compensation is claimed on the land for which the verified claim has been filed, or any adjoining Federal or State land.
 - B.) The claimant shall not, in any manner, restrict hunting access to their privately owned land, leased private land or any adjoining Federal or State land within the hunt area for which the damage occurred in accordance with this section.
 - C.) Authorized hunting seasons include:
 - 1.) Hunting seasons as established by Commission rule and regulation;
 - 2.) Depredation prevention hunting seasons as approved by a District Wyoming Game and Fish Commissioner and the Chief Game Warden; or,
 - 3.) Lethal taking of wildlife through a kill permit as approved by a District Wyoming Game and Fish Commissioner and the Chief Game Warden
- The WGFD shall determine if hunting was permitted during authorized hunting seasons for the species of big game animals, trophy game animals, or game birds for which the verified claim

has been filed. For an award to be allowed, the WGFD shall have to determine the claimant allowed sufficient numbers of hunters to access his privately owned or leased land and adjoining Federal or State land to harvest more than the number of big game animals, trophy game animals or game birds recruited in the preceding 12 months into the segment of the population responsible for doing damage. The claimant shall contact the game warden to whom he reported the damage to determine how many big game animals, trophy game animals, or game birds meets the requirement of more than the number of big game animals, trophy game animals or game birds recruited in the preceding 12 months into the segment of the population responsible for doing damage. An award may be allowed if the WGFD determines a reduction in big game animals, trophy game animals or game birds affects the WGFD's ability to sustain the population at the objective the Commission has established for the herd unit.

Winter Wildlife Feeding Policy and Operations:

- Supplemental Feeding of Elk/Wild Bison - The Commission is granted statutory authority to provide for the feeding of game animals, birds, and fish of Wyoming when conditions warrant such feeding as necessary. The purpose of this policy is to define the role of the WGFD in support of the Commission's efforts to fulfill its responsibilities with respect to feeding wildlife
- Under most conditions, the Commission discourages the private, intentional feeding of big and trophy game animals (WS 23-3-309). In order to maintain established elk herd unit population objectives in the Jackson/Pinedale regions, the Commission directs the WGFD to provide supplemental feed for elk as provided in this policy.
 - WS 23-3-309. Intentional feeding of elk; penalty.
 - A.) No person shall intentionally attract or feed any elk by depositing, placing, distributing, or scattering feed that results in commingling with livestock.
 - B.) Nothing in this section shall prohibit:
 - 1.) Any normal or accepted agricultural management practice;
 - 2.) Any elk feeding program authorized or conducted by the WGFD;
 - 3.) Any legal form of baiting elk as authorized by commission rule and regulation;
 - 4.) Any feeding of elk for the purpose of reducing the opportunity for contact with livestock when undertaken with prior notice to the WGFD;
 - 5.) Any feeding of elk outside a brucellosis surveillance area designated pursuant to Wyoming livestock board rules and regulations.
 - C.) A first violation of this section constitutes a low misdemeanor punishable as provided in W.S. § 23-6-202(a) (v). A second or subsequent violation of this section constitutes a high misdemeanor punishable as provided in W.S. § 23-6-202(a)(ii).
- The Commission recognizes the importance of supplying supplemental feed to elk at the 22 existing WGFD feedgrounds and the National Elk Refuge. The Commission also recognizes that without such feeding, the elk populations would have decreased significantly to levels that could be supported by the limited native range forage.
- The Commission directs the WGFD to provide adequate supplemental feed to support healthy and productive elk at the 22 WGFD feedgrounds and work cooperatively with the U.S. Fish and Wildlife Service to provide adequate feed to support healthy and productive wintering elk/wild bison on the National Elk Refuge. It is recognized that the Commission approved herd unit

population objectives exceed established total feedground quotas for each herd unit due to the presence of some elk wintering on native range. Recognizing that elk population objectives for each herd unit exceed the number of elk to be maintained on feedgrounds and the unpredictability of elk distribution considering habitat conditions, weather, and other factors that may influence the distribution of elk on WGFD operated feedgrounds, the Commission directs the WGFD to strive to manage feedgrounds for the total feedground elk quotas for each elk herd unit as listed in Table 2.

Table 2. Herd Unit Feedground Quotas.

<i>Herd Unit</i>	<i>Quota</i>	<i>Elk Feedground</i>	<i>Quota Distribution</i>
<i>Afton</i>	1,750	Greys River	1,000
		Forest Park	750
<i>Piney</i>	2,150	Bench Corral	250
		Finnegan	400
		Franz	450
		Jewett	650
		North Piney	400
<i>Fall Creek</i>	3,950	Camp Creek	900
		Horse Creek	1,250
		Dog Creek	800
		South Park	1,000
<i>Green River</i>	1,975	Black Butte	500
		Green River Lakes	675
		Soda Lake	800
<i>Hoback</i>	1,000	Dell Creek	400
		McNeel	600
<i>Jackson</i>	2,450	Alkali	800
		Fish Creek	1,000
		Patrol Cabin	650
<i>Pinedale</i>	1,800	Fall Creek	700
		Muddy Creek	600
		Scab Creek	500

- The number of elk on the National Elk Refuge is to be maintained in accordance with a mutually agreed upon number established cooperatively by the Commission through the WGFD and the U.S. Fish and Wildlife Service.
- The Commission directs the WGFD to not develop and operate any additional feedgrounds without pre-approval by the Commission while in session, except when an emergency occurs. When an emergency is identified, temporary feeding operations may be conducted when agreed upon by the WGFD Director and the District Commissioner(s) where the emergency feeding is requested/warranted. The commission recognizes there may be

situations where emergency feeding of wildlife shall be necessary. To the extent that any action taken pursuant to the above-mentioned responsibilities may be more specifically addressed in another Commission policy, the more specific policy should control.

- Feedground Operations: - In 1912, federal legislation was appropriated to purchase hay and feed elk on the present day National Elk Refuge. In 1929, the WGFD initiated operation of three supplemental elk feedgrounds in the Greys River, Gros Ventre River, and Green River drainages in an effort to prevent large-scale die-offs of elk during severe winters.
- Wyoming's first damage law was enacted in 1939, imposing limited liability on the Commission to pay for damages to crops caused by big game animals. This legislation created a significant financial burden to the Commission and largely contributed to the establishment of Wyoming's elk feedgrounds. Wildlife managers found it was easier and less expensive to feed elk in key problem areas rather than continually try to keep elk out of haystacks.
- Elk were fed at many different locations during the 30-plus years following the creation of the damage law, primarily to prevent damage to stored and fed hay and growing crops. Many sites were temporary, and only small amounts of hay, or cake, were fed. The WGFD has fed elk in at least 51 different locations since 1948. Many of the present feeding sites were started in the late 1940s and early 1950s, and by the early 1960s the present elk feedground system was mostly in place, with the last feedground started in 1979 (Forest Park).
- Currently, the WGFD manages 22 state-operated elk feedgrounds. The 22 state feedgrounds are located in Teton, Lincoln, and Sublette counties on BLM, Forest Service, state, and private landholdings. Annually, the average number of elk fed on all 22 state feedgrounds (not including the National Elk Refuge) since 1975 is approximately 13,788 elk. The highest number recorded was in 2005-06, when the WGFD fed a total of 17,140 elk. Conversely, the lowest number of elk fed since 1975 occurred during the winter of 1976-77, when only 4,964 elk were fed. The number of elk fed on the refuge has ranged from 0 to 10,736, and since 1970 have averaged 7,035.
- Elk are typically fed with a team of draft horses and a sleigh, although tractors are used at a few feedgrounds. Elk are fed seven days a week, with most feedgrounds starting in late November and ending in mid-April. Small square bales of grass or alfalfa hay are generally used, except where mechanized equipment is used, and large, square bales can be fed. Feeders try to disperse elk as much as possible and feed on clean snow each day if possible.
- The WGFD purchases between 5,000-9,000 tons of hay annually, with an average of 6,550 tons. Certified weed-free hay is used at feedgrounds on Commission-owned lands, as well as those on U.S. Forest Service and BLM lands. Most hay is purchased from Teton, Lincoln, and Sublette county ranches, with some hay coming from WGFD -owned lands in Fremont County. The WGFD contracts the hauling and stacking of hay, which typically takes about four months to complete. Each feedground has sheds where hay is stored.
- Elk feeders are contracted seasonally by the WGFD and may feed at one or more feedgrounds. Elk are generally fed between eight and ten pounds of hay/head/day. Since 1975, the feeding season has ranged from 64 to 152 days, depending on the severity of the winter and feedground location, with the average length of the feeding season being 122 days. This equates to approximately 0.5 ton of hay per elk each year. Over the last 12 years, there has been a general decline in the number of days fed and the number of elk fed days (a metric that incorporates elk abundance) on most feedgrounds following increased efforts to shorten feeding season length combined with generally milder winters.

- In July 2021, the Wyoming Legislature passed Wyoming Statute 23-1-305 - Closure of elk feedgrounds; alternative feeding sites; reporting requirements. This statute codified the following requirements for the closure of any permanent feedground in Wyoming.
 - Requires that any permanent elk feedground closure by the Commission will require an order by the Governor
 - Commission shall consult with the Wyoming Livestock Board on recommended elk feedground closure
 - At least one public meeting in an area where elk feedground closure would occur
 - Commission is authorized to contract/lease private lands for feedgrounds for the purpose of relocating feedgrounds that could be closed
 - Does not prevent the WGFD from operating current elk feedgrounds, start/ending feeding dates, and emergency elk feeding operations

Idaho

Elk Management:

- Population monitoring is the backbone of Idaho Department of Fish and Game (IDFG) elk management program. Monitoring provides wildlife managers with information to evaluate management goals and allows informed decision-making. Monitoring should include an estimate of population size, as well demographic information such as age and sex ratios. Aerial surveys should be conducted frequently enough to establish population trends and timely enough to enable managers to influence these trends.
 - A.) Statewide Elk Management Direction - The IDFG has developed statewide objectives based on elk hunter survey results, recent aerial surveys, current elk population status, and the potential for herd growth in some areas. Idaho Department of Fish & Game Idaho Elk Management Plan proposed statewide elk management objectives include:
 - 1.) Continue to offer general-season elk hunting opportunities by managing elk and predator populations and improving elk habitat
 - 2.) Enhance mature bull hunting opportunity
 - 3.) Aid elk hunters in selecting hunting areas that align with their desired hunting experience
 - 4.) Maintain the "A-B" elk tag structure, with adjustments to meet the needs and interests of today's hunters
 - 5.) Implement measures to reduce elk-caused crop and property damage
 - 6.) Improve public involvement in elk management decision-making
 - 7.) Reduce the potential for disease to impact elk or livestock
 - 8.) Increase public knowledge and understanding of elk biology, management, and hunting
 - B.) Elk Zone Management Direction
 - 1.) The IDFG will continue to manage elk using the zone management system. The zone system allows herd management based on local habitat, weather, and herd movements while providing a variety of hunting opportunities.
 - 2.) The number of elk that can be supported in any given management zone is influenced by many factors, including weather, habitat quality, predation, hunter harvest, and the need to minimize elk-based crop and property damage (agricultural impacts). One or more of these "limiting" factors can often prevent an elk herd from growing further or limit the ability of wildlife managers to maintain current elk herd numbers.
 - 3.) For each proposed elk zone, IDFG staff identified the limiting factors using flight surveys, elk population trends over ten or more years, changes to available habitat, reported agricultural impacts (crop and property damage), known or suspected causes of elk mortality, assessments of predator populations and predation impacts, and other data and elk management experience. The severity of each identified limiting factor was classified as low, moderate, or high. Limiting factors common to most Idaho elk populations are agricultural impacts (crop and property damage), predation, and habitat. The severity of these limiting factors varies across Idaho and even within zones.
 - 4.) IDFG staff proposed 10-year management direction and population objectives for each elk zone and objectives and strategies to maintain or improve elk herd performance and provide greater hunter satisfaction. Finally,

using public input, IDFG staff refined the management direction, objectives, and strategies for each zone.

Damage Prevention/Mitigation:

- Preventing crop and property damage (depredation) is a priority management objective for IDFG, and our response to depredation complaints is directed by Idaho Code 36-1108. Each region's Landowner-Sportsmen Coordinator has the responsibility to assist landowners in minimizing or eliminating depredations. Typical strategies to reduce depredations include hazing, permanent fencing, depredation hunts, kill permits, continued use agreements targeted general or controlled hunts and perpetual easements.

Winter Wildlife Feeding Policy and Operations:

- The Idaho Fish and Game Commission recognizes that big game populations should be maintained under natural conditions and by naturally available forage. Winter forage is the major limiting factor that determines the size of the big game populations, and it must be maintained if these animals are to prosper and propagate. The IDFG will work with appropriate land management agencies in an effort to maintain winter ranges in a condition suitable to meet big game management objectives, including the restoration of ranges damaged from such long-term impacts as disease, weed infestation, and/or overgrazing. These restorations could include temporary solutions for short-term impacts caused by fire and/or drought. In order to maintain these winter ranges, big game numbers must be controlled through adequate harvest. We, therefore, do not sanction any widespread supplemental winter feeding programs.
 - A.) Big game animals, especially elk, when concentrated by supplemental feeding, are very susceptible to infectious disease, which can be transmitted to livestock and to other big game animals. Every effort should be made to lessen this threat.
 - B.) We are aware that big game harvests and weather vary from year to year throughout the state. In most years, snow depths, temperatures, and animal body condition do not create adverse conditions for wintering animals. However, there are times when unusual weather patterns may create critical periods of stress when winter forage becomes limited, unavailable, or animals are forced into areas involving public safety. We recognize that we cannot manage game populations for these extreme weather conditions—nor should we.
 - C.) The IDFG is authorized to feed big game only if the following conditions exist:
 - 1.) To prevent damage to private property or for public safety when other methods of preventing damage and providing safety measures are determined to be impractical, inappropriate, or ineffective, and the amount of damage or cost of protection is expected to exceed the cost of feeding.
 - 2.) To prevent excessive mortality of big game populations in drainages that would affect the recovery of the herd. Some mortality should be expected, especially from the young and old segments of the population.
 - D.) It is the responsibility of all field personnel to advise the Regional Supervisor of weather, animal conditions and numbers, and public input on situations that meet the feeding criteria outlined above. If the Regional Supervisor, in consultation with the regional winter feeding advisory committee, determines that the criteria has been met and that an emergency exists, he/she will inform the Wildlife Bureau of his/her decision, and the Wildlife Bureau will notify the Director's Office, Enforcement Bureau, and the

Communications Bureau. The regional big game operational plan will then be implemented.

- IDFG maintains a nearly-annual elk feeding operation (Bullwhacker) in the Warm Springs Creek area, west of Ketchum. The intent of this site is to prevent elk from attempting to overwinter within Ketchum, which historically was winter habitat.
- IDFG has also decommissioned four winter feeding operations in Northeast Idaho (Rainey Creek, Victor, Teepee Creek, and Conant Creek) at the recommendation of the Idaho Governor's Wildlife Brucellosis Taskforce in an effort to reduce disease transmission risk.

Montana

Elk Management:

- In practice, Montana Fish, Wildlife and Parks (FWP) elk number objectives have been or will be established using the following considerations.
 - A.) The history of long-term trend counts and discussions with landowners on many areas indicate to biologists at what count level and under what conditions agricultural damage complaints become more frequent or excessive. Objectives for number of elk counted will be established below levels of excessive damage problems. For other areas, especially on public lands in northwestern Montana, elk numbers are below levels sustained in the past.
 - B.) Input from sportspersons, public land managers, and the general public will also be considered.
 - C.) Increasingly, in problem areas, Community Working Groups are formed to help all stakeholders come to consensus about objectives for elk numbers and potential solutions to elk management problems in the area.
 - D.) FWP has come to recognize that in some areas and for some elk populations, demand for antlerless harvest with current regulations is less than is necessary to reduce the elk population from current levels to the objective. A substantially more liberal regulation package than traditionally used may be necessary to reduce the elk populations to objective levels. Once objective levels are met, regulations can be modified to maintain stable populations under average environmental conditions. These objective levels may be lower than ecological potential and driven more by sociological tolerance.
 - E.) Elk populations in portions of some Elk Management Units (EMU) may be almost entirely inaccessible to hunters during the general hunting season or accessible to only a few hunters. To avoid over-harvest of accessible elk on public lands or private lands open to hunting, the inaccessible elk may not be included in objective numbers. Trend count number objectives may include only elk normally accessible to general hunting (if they are a distinct segment), though hunter access negotiations will continue. Elk occupying these "refuges" may be counted separately where practical (if they are a distinct segment) and sub-objectives established that could be operative if access negotiations are successful. If significant harvest of these "refuge" elk is possible with special management at some times and locations, they should be included in objective levels.

Damage Prevention/Mitigation:

- The general hunting season is FWP's primary tool for regulating wildlife populations. However, hunter access, weather, and other factors can reduce the effectiveness of the general season harvest in controlling wildlife populations in any year or series of years. Some areas may experience chronic wildlife damage to agricultural products regardless of elk population levels, but damage complaints may increase in other areas when elk populations have increased over several years.
- Two Montana Supreme Court decisions have ruled that private landowners are expected to accommodate a certain amount of wildlife use of their private lands. However, if a combination of circumstances result in wildlife use of private land at "unreasonable levels" that cause

problems for landowners, the state, with some exceptions, assumes responsibility to help eliminate, prevent or resolve these problems. By law (87-1-225 MCA) FWP is required to respond to all big game damage complaints. MCA 87-1-225 states:

- A.) Subject to the provisions of subsection (2), a landowner is eligible for game damage assistance under subsection (3) if he;
 - 1.) Allows public hunting during established hunting seasons; or
 - 2.) Does not significantly reduce public hunting through imposed restrictions.
- B.) FWP may provide game damage assistance when public hunting on a landowner's property has been denied because of unique or special circumstances that have rendered public hunting inappropriate.
- C.) Within 48 hours after receiving a request of complaint from any landholder or person in possession and having charge of any land in the state that wild animals of the state, protected by the fish and game laws and regulations, are doing damage to the property of crops thereon, the FWP shall investigate and arrange to study the situation with respect to damage and depredation. The FWP may then decide to open a special season on the game or, if the special season method is not feasible, the FWP may destroy the animals causing the damage. The FWP may authorize and grant the holders of said property permission to kill or destroy a specific number of animals causing the damage. No wild ferocious animal damaging property or endangering life shall be covered by this section.
- D.) FWP Game Damage Policy states that the following definitions (A) and (B) shall be used to determine game damage assistance eligibility
 - 1.) "Allows public hunting" is defined as "allows hunting without charge or consideration and without restrictions (as defined in (B)) to members of the general public during established seasons. For purposes of game damage assistance eligibility, hunting must be allowed for the species for which the complaint has been made.
 - 2.) "Does not significantly reduce public hunting through imposed restrictions" is defined as "does not impose restrictions which prevent the general public hunter harvest of the species for which the complaint is made. Such restrictions may include:
 - i.) Species of animals hunters are allowed to hunt;
 - ii.) Portion of land open to hunting;
 - iii.) Time period during which land is open to hunting;
 - iv.) Fees charged; or
 - v.) Other restrictions which render harvestable animals inaccessible.
- E.) FWP Damage Policy further indicates that field personnel should respond quickly and effectively to game damage situations, employing game damage abatement activities on a progressive scale of intensity, from the least dangerous or harmful to the wildlife doing the damage up to and including lethal methods such as damage hunts and kill permits. Generally speaking, the progressive steps for the use of game damage techniques are:
 - 1.) Dispersal through the use of noisemakers and repellants, or other activities agreed upon which would serve to haze animals away from an area;
 - 2.) Physical barriers such as snow fence, mesh wire, panels, permanent stackyards or electric fence used to protect harvested, stored crops; fence barriers will not be provided for protection of unharvested crops standing in the field.

- 3.) Damage hunts during the periods of August 15th to the opening of fall Commission –established seasons and from the close of fall Commission-established seasons through February 15th ;
- 4.) Kill permits used by landowners or, in rare instances, FWP personnel.

Winter Wildlife Feeding Policy and Operations:

- ELK FEEDING POLICY

- A.) Past experience in Montana and elsewhere has shown that artificial feeding of game animals is not a sound game management program - neither economically nor biologically. It is expensive, is not good for the animals, and not good for the range upon which these animals are dependent. It can only be justified under extreme winter conditions which indicate a winter loss of major proportions is imminent. Therefore, when it has been determined that extreme winter conditions exist on FWP owned lands, an emergency feeding program may be undertaken and the following regulations shall be policy:
 - 1.) Invite local sportsman's groups to participate in the program;
 - 2.) Feed only hay of high quality free from all forms of pollution;
 - 3.) Feed hay in sufficient quantity so that at least some hay is left uneaten; (this normally means about 12 pounds per animal per day) ;
 - 4.) Feed will be scattered over large areas in an attempt to maintain a normal distribution;
 - 5.) FWP will determine feeding areas and only those areas will be utilized; these are wild animals and consideration must be given to the establishment of feeding areas located specifically to avoid harassment.
- B.) In the Gallatin River drainage the elk feeding policy for the FWP is as follows:
 - 1.) For the area in the vicinity of the northwest corner of Yellowstone National Park: encompassed by the drainages of Buffalo Horn Creek, Cinnamon Creek, Wilson Creek, Teepee Creek, Lodgepole Creek, Sawmill Creek, Monument Creek, Sage Creek, and the portion of Taylor Creek below the Taylor Narrows, there will be no feeding, whether hay or other food supplements, of elk.
 - 2.) For the remainder of that portion of the Upper Gallatin Canyon where elk feeding is not excluded by the provisions of subsection (2) (a) , the following guidelines are the elk feeding policy of the FWP.
- C.) Purpose. The purpose of this plan is to establish criteria for the monitoring and evaluation of winter conditions for a portion of the Upper Gallatin elk herd in order to avoid catastrophic losses during a severe winter.
 - 1.) The FWP is responsible for managing the wildlife on national forest lands in Montana. The forest service, however, has responsibility for the management of wildlife habitat, necessitating the two agencies work closely together in game management within the boundaries of the national forest. Yellowstone national park contains a portion of the Upper Gallatin elk habitat. The three agencies therefore coordinate their responsibilities under a cooperative agreement for the management of the Upper Gallatin elk herd.
 - 2.) In any winter, regardless of severity, natural elk mortality will vary from 1% to 10%. Nature has the ability to recover losses rapidly. The ratio of calves to adult cows may vary from 25% to 60% in a given year. Elk herds have the

potential of doubling their size within two years. Nevertheless, a loss in excess of 15% of the total herd could be considered catastrophic, necessitating feeding or other emergency measures.

- D.) Objective. The objective of this plan is to establish guidelines for evaluating winter conditions affecting Upper Gallatin elk and the condition of the elk themselves. An additional objective of this plan is to establish guidelines for feeding, should the need arise, that will minimize damage to soil, vegetation, and water while providing for the needs of elk through a crisis period. It is hoped that elk feeding when needed can be achieved through the cooperative efforts of concerned citizens working with the FWP and the forest service.
- E.) Background. Research has shown that once animals are suffering from severe malnutrition, feeding may do no good. Also, once animals have become weak from use of reserve body fat, the animals may not be able to adjust to a change of diet. If feeding is to be done then, it must begin before the animals' condition is so poor that they do not respond. A decision to feed must also recognize the following adverse impact on the environment and the animals:
 - 1.) Making healthy animals dependent on artificial feed when they would be better off foraging;
 - 2.) Stopping or interrupting natural migration habits;
 - 3.) Tending to deplete emergency food reserves in the vicinity of feed grounds; (research has shown that elk will severely browse conifers and shrubs in the immediate vicinity of the feed ground regardless of the amount of hay put out) ;
 - 4.) Concentrating animals when their resistance is down, increasing the risk of the spread of any disease or virus present;
 - 5.) Decreasing water quality by concentrating animals near open water;
 - 6.) Allowing genetically inferior animals to survive, thus interfering with the natural selection process;
 - 7.) Changing social behavior patterns may cause problems; for example, if bulls are attracted into cow groups, increased stress may be placed on weaker or smaller animals through fighting and jostling.
- F.) Even though late winter storms can be quite severe, usually after a couple of days the snow melts and food becomes available again. Those animals which are too weak to wait out a few days will not be helped by feeding.
 - 1.) As a general rule, artificial feeding will not be started after April 1. To avoid losses from a late spring storm, such as occurred in April, 1975, managers will need to make a thorough analysis of the available feed and animal condition prior to April 1.
- G.) Criteria for evaluating winter conditions for the Upper Gallatin elk herd. The FWP will set up monitoring stations at Taylor Fork and Porcupine to monitor snow depth, icing, and crusting. The following criteria will indicate that feeding may be necessary:
 - 1.) Snow depth 20 inches or more with crusts and/or ice forming;
 - 2.) Weak adult cows forced to bottom lands along streams and Highway 191;
 - 3.) Adult cows foraging during middle of daylight hours;
 - 4.) Adult cows not seeking cover after feeding;
 - 5.) Emergency food sources not available;
 - 6.) Groups of adult cows (not isolated animals) generally in poor condition;
 - 7.) Signs of malnutrition in road-kills of adult cows (bone marrow pink, jelly-like, lack of body fat, especially around kidneys) ;

- 8.) Adult cows weak and moving with difficulty through snow cover;
- 9.) Weather outlook for cooler than normal with above normal precipitation forecast.
- Note: Since some calf losses are not preventable but are expected most years and since this plan is designed to prevent catastrophic reductions in the elk herd, the criteria for feeding is based on factors affecting the reproductive base (adult cows) only.
- H.) Procedure: In the event hay feeding becomes necessary, the following procedure will be followed:
 - 1.) Every effort will be made to avoid concentrating animals; hay will be fed where the elk are found, scattered over a wide area and in small amounts;
 - 2.) Approximately 3 to 7 pounds of hay per animal is sufficient per feeding;
 - 3.) Hay will be fed from sleigh or snow machine;
 - 4.) Distribute feed away from streams and highway and emergency food sources, such as willow and dogwood;
 - 5.) Scatter feed at the break (or toe) of the slope;
 - 6.) Only "certified weed-free" grass hay will be used;
 - 7.) Hay will be furnished or approved by the FWP;
 - 8.) All feeding will be monitored and supervised by the FWP with assistance of the forest service; the results of any feeding program should be carefully documented for future reference;
 - 9.) Feeding will stop when natural feed becomes available or when elk stop using hay, whichever comes first;
 - 10.) The FWP will obtain a forest service permit for feeding on national forest land.
- I.) Responsibility and coordination. The FWP will be responsible for making the final decision on whether or not to feed hay to elk, and will supervise the procurement and distribution of hay.
 - 1.) The forest service will make the final decision on whether to allow the placing of hay on national forest land for feeding of elk. The location of feeding areas on national forest land must receive prior approval from the forest service. Feeding will not take place inside Yellowstone National Park.
 - 2.) The forest service and FWP will jointly monitor snow, weather, and animal conditions, with the FWP having the primary responsibility for monitoring.
 - 3.) If conditions indicate that feeding may be necessary, a thorough analysis of snow and animal conditions will be made by FWP and forest service personnel. Porcupine and Taylor Fork Creek above the narrows will be checked as a minimum. A joint meeting will be held and the FWP will decide whether or not to feed and where feeding will be most effective.
 - 4.) Proposed national forest feeding sites will be approved at that time.
 - 5.) The FWP then may invite private ranchers and organizations to participate and establish a schedule for monitoring the feeding and recording results. Forest service personnel may participate in monitoring the feeding operation.
- J.) The elk herds in the Gallatin drainage provide a peculiar problem for management in this state as they move over their normal winter range.
- FWP sporadically utilized emergency feeding as a tool to reduce overwinter mortality in the upper Gallatin River Valley until 1975. Changes in hunting season structure and herd objectives were implemented in an effort to reduce overall elk numbers as well as reduce the chance for

catastrophic starvation events during hard winters. Supplemental winter elk feeding has not occurred in Montana since.

Colorado

Elk Management:

- Big game populations in Colorado are managed Colorado Parks and Wildlife (CPW) on the basis of Herd Management Plans (HMPs) for specific herds in defined areas called Data Analysis Units (DAUs) that represent the annual ranges of relatively discrete populations. These DAUs are divided into Game Management Units (GMUs) to better manage harvest and hunter numbers within each herd.
- Herd Management Plans establish objectives for post-hunt population size and sex ratios, and are locally developed with public input. Draft plans are presented to the Parks and Wildlife Commission, with opportunities for public comment, revised if necessary, and then approved by the Commission the following meeting. License quotas approved by the Commission each year are used to move populations toward herd management plan objectives using hunter harvest. Population objectives for each herd are expressed as a range of values to provide greater management flexibility and more realistically reflect confidence in the population estimates. Target population objectives are used to indicate the desired population size within the objective range for a given year.

Damage Prevention/Mitigation:

- Colorado's game damage program is authorized in Title 33, Article 3 of Colorado Revised Statutes. Since its original inception over 90 years ago, the program's goal of mitigating and compensating agricultural producers for damage suffered by big game wildlife has changed very little. Over the years, the program has been refined most notably through the integration of the prevention materials program. The game damage program is funded entirely by license revenues through an annual appropriation from the Game Cash fund. This appropriation funds the two key program components; damage compensation and damage prevention materials. Resources are utilized among each program component based on annual needs.
- The compensation component of the game damage program provides reimbursement for qualifying agricultural claimants suffering eligible losses caused by big game wildlife.
- The damage prevention materials program became an integrated component of the game damage program over 20 years ago. The prevention materials component provides both permanent and temporary materials to landowners to eliminate or minimize damage caused by big game wildlife. Apiary fencing, orchard fencing and stackyard fencing comprise the majority of the requests for materials.
- CPW also issues permits to kill specified numbers of wildlife causing excessive damage to property by request of the property owner.

Winter Wildlife Feeding Policy and Operations:

- Emergency feeding of big game ungulates may be used as a last resort to reduce unusually severe winter-related mortality in cases where the anticipated winter-related mortality exceeds thirty percent (30%) of the adult female segment of a major big game population. Where available, managers should make use of existing on-the-ground ungulate monitoring activities and data to guide decisions on emergency feeding. Compared to small game, big game populations recover more slowly from significant winter mortality. Therefore, consideration

should also be given to the effects of mortality on population recovery and associated impacts to local economies, license numbers, etc.

- The decision to feed in a severe winter is complex and will be made considering both biological and social factors. Based on the experience from previous feeding actions, significant mortality of deer, particularly fawns, should be expected regardless of effort. In addition, at least one year of suppressed recruitment likely will occur. The decision of where and when to feed will be made by the Director after considering site-specific information (quantified to the extent possible) about the anticipated costs of feeding versus the consequences of not feeding. If feeding occurs, it is recommended to use weed-free hay (for elk) or commercial pellet products formulated for use in wild ungulates.
- The Colorado Parks and Wildlife Commission recognizes the additional and unique threat created by congregating animals into feeding areas where chronic wasting disease (CWD) exposed animals may be present. Therefore, notwithstanding any other provision in this policy, emergency winter feeding shall not occur in any GMU where CWD has been found in wild ungulate populations without prior approval of the Commission. In addition, managers should carefully consider whether winter feeding in a particular area might increase the risk of establishing CWD in an area where it is not known to occur. Baiting is defined as the use of feed to move or redistribute animals with no intent to support or maintain animal condition.
- Baiting of big game ungulates may be used to prevent or reduce damage to private property when other preventative measures have been ruled impracticable, inappropriate or ineffective. Furthermore, when considering whether or not to bait, the cost of baiting relative to the estimated cost of damage to private property should be evaluated. Baiting may also be used to address the loss of animals unusually congregating near highways and railroad tracks (often as a result of severe winter weather). These situations create a public hazard and can cause significant localized big game mortality. If baiting occurs, it is recommended to use weed-free hay or commercial pellet products specifically formulated for use in wild ungulates. The decision of where and when to bait will be made by the Director (or the Director's designee).

Utah

Elk Management:

- Utah Division of Wildlife Resources (UDWR) Elk Population Objectives
 - A.) Set population objectives and manage elk populations at appropriate spatial scales that account for migration patterns.
 - B.) Establish local advisory committees to review individual herd unit management plans when considering a change (increase or decrease) in the herd size objective.
 - 1.) Committees will be established following approval of the statewide elk plan.
 - 2.) Committees will consist of the UDWR unit biologist and regional wildlife manager as facilitators, two local sportsman's representatives, and one representative from each of the following (if applicable): Farm Bureau, Cattlemen's Association, Wool Growers Association, Bureau of Land Management, USDA Forest Service, local elected official, Regional Advisory Council (RAC) member, Cooperative Wildlife Management Unit (CWMU) Association, Sportsmen for Fish and Wildlife, Mule Deer Foundation, Rocky Mountain Elk Foundation, tribal representative, local landowner or land owner association representative and other affected stakeholders. Recommendations from these committees will be reviewed by UDWR and presented to the Regional Advisory Councils and Wildlife Board for public input and approval.
 - 3.) Committees shall be provided with the results of habitat projects completed in the previous five years, planned projects for the next three years, UDWR range trend data, and any other applicable information.
 - C.) On units where population decreases are necessary, UDWR will recommend short term population objectives in unit management plans or increases in antlerless elk permits.
- Population Management
 - A.) Utilize antlerless harvest as the primary tool to manage elk populations within herd size objectives and to target specific areas where range concerns or depredation problems exist.
 - B.) Properly manage elk populations to minimize competition with mule deer on crucial mule deer range.
 - C.) If drought related conditions and high elk densities are negatively impacting habitat, recommend additional antlerless elk permits at the August Wildlife Board meeting.
 - D.) During severe winters, aggressively use antlerless elk harvest (public hunters and DWR removal) to minimize conflicts.
 - E.) Consider using over-the-counter cow elk permits to provide additional harvest and hunting pressure in areas of conflict.
 - F.) On units over objective where cow harvest is difficult to obtain, allow for cow harvest using a general season muzzleloader bull elk permit (similar to general season archery elk hunt).
 - G.) Encourage innovative ideas from regional biologists to manage towards population objectives.
- Disease Control
 - A.) Investigate and manage disease outbreaks that threaten elk populations including CWD and brucellosis.

- B.) Promote management practices that minimize disease risks such as discouraging baiting/feeding, conducting CWD surveillance, and assisting Department of Agricultural in monitoring elk farms/ranches for compliance.
- C.) Follow the emergency big game winter feeding policy, and avoid unnecessary feeding of elk.

Damage Prevention/Mitigation:

- Depredation of private croplands continues to exist in some areas despite careful management of elk populations. In some localized areas depredation can be a significant problem. UDWR has committed substantial resources to address depredation concerns, and there are numerous programs designed to assist landowners with depredation situations. Harvesting elk on private lands can ease frustrations of private landowners and better distribute elk into more favorable portions of a unit. Depredation problems need to be addressed within the sideboards of state code, rule, and policy, and in a timely and efficient manner so that landowners will better tolerate migratory populations of elk
- If big game animals are damaging cultivated crops on cleared and planted land, or fences or irrigation equipment on private land, the landowner or lessee shall immediately, upon discovery of big game damage, request that the division take action by notifying a division representative in the appropriate regional office.
 - A.) Division action shall include:
 - 1.) Removing the big game animals causing depredation; or
 - 2.) Implementing a depredation mitigation plan approved in writing by the landowner or lessee.
 - B.) The division mitigation plan may incorporate any of the following measures:
 - 1.) Sending a division representative onto the premises to control or remove the big game animals, including:
 - i.) Herding;
 - ii.) Capture and relocation;
 - iii.) Temporary or permanent fencing; or
 - iv.) Removal, as authorized by the division director or the division director's designee;
 - 2.) Issuing big game mitigation permit vouchers for use on the landowner's or lessee's private land during a general or special hunt authorized by the Wildlife Board
 - 3.) The mitigation plan may describe how the division will assess and compensate for damage
 - 4.) The landowner or lessee and the division may agree upon a combination of mitigation measures to be used, including a damage payment or a description of how the division will assess and compensate the landowner or lessee for damage to cultivated crops, fences, or irrigation equipment.
 - C.) The division may provide compensation to landowners or lessees for damage to cultivated crops on cleared and planted land, or fences or irrigation equipment on private land caused by big game

Winter Wildlife Feeding Policy and Operations:

- Supplemental feeding is often viewed by the public as a viable solution to a lack of suitable winter range. However, there is evidence that the potential harm created by feeding elk may outweigh the limited benefits. Winter feeding programs are generally costly and can cause problems for elk including behavioral changes, range destruction, and expansion of disease problems. Recent research conducted in Utah has shown that elk feeding programs in Utah can be reduced or eliminated without creating new problems.
- Although there are negative consequences of winter feeding, it is also recognized that feeding may be necessary to sustain elk populations in emergency situations. It may also be necessary to temporarily feed elk to reduce depredation problems or to keep elk from impacting deer populations in extreme conditions. For instance, elk are fed at Hardware Ranch each winter to keep elk from moving on the urban interface. These elk are also physically examined, disease tested, and an outreach opportunity for the public to view and enjoy elk.
- In Utah, winter feeding of big game is currently guided by the winter feeding policy. Under this policy, feeding is discouraged except under extreme circumstances. With the discovery of CWD in Utah, the feeding policy was updated to state that "the Division will not participate in any emergency big game feeding program that occurs within the known range or use area of any big game population where CWD, brucellosis or tuberculosis has been detected."
- Emergency Big Game Winter Feeding
 - A.) PURPOSE - The purpose of this policy is to establish the procedure for emergency supplemental winter feeding of big game. The intent of this policy is to provide emergency feed for big game animals only during periods of critical stress and not as a sustaining program that would carry larger game populations than the range can normally support.
 - B.) POLICY - Continual supplemental winter feeding of big game is not a part of the Division's routine management program, because it is recognized that in most cases big game populations should be maintained under natural conditions and by natural available forage. However, the Division also realizes that there are times when unusual weather conditions can create critical times of stress when winter forage becomes extremely limited, unavailable, or animals are forced into areas threatening public safety. Furthermore, it is recognized that by providing the proper feed, only during these times of critical stress, the Division may improve the survival of those animals that may have otherwise succumbed to starvation. The implementation of widespread feeding, which supports higher population levels than healthy habitat can sustain, is not only prohibitively expensive, but involves serious risks in terms of disease and habitat degradation. Under certain circumstances, however, supplemental winter feeding can be used as a tool to help accomplish the following, especially in the short-term:
 - 1. Control big game (primarily elk and deer) damage in agricultural areas (e.g. dairies, feed lots, orchards, etc.) until a better long-term solution can be found;
 - 2. Promote public safety by drawing animals away from highways and urban areas;
 - 3. Maintain parent stocks of big game populations; and
 - 4. Relieve stress on populations in short-term severe emergencies.
 - Authorization for feeding will occur on a site-by-site basis only. Biological triggers will help guide the decision to initiate a Division feeding program. The Division will not participate in any emergency big game feeding program that occurs within the known

range or use area of any big game population where chronic wasting disease, brucellosis, or tuberculosis has been detected.

- C.) PROCEDURES
 - 1.) Approval Procedure Emergency - Division feeding programs will be allowed only in accordance with a feeding proposal prepared by the region, reviewed by the Wildlife Section Chief, and approved by the Director. Generally, the feeding program will be confined to those situations described in the previous section.
 - 2.) Feeding Proposal - A feeding proposal must address the following issues:
 - i.) Why feeding is necessary (emergency /unusual circumstances).
 - ii.) Number of animals and length of time.
 - iii.) Estimated cost.
 - iv.) Type of feed to be used (weed-free material is required).
 - v.) Whether the proposed emergency feeding areas are within the known range or use area of any deer or elk population where chronic wasting disease, brucellosis, or tuberculosis has been detected.
 - vi.) Desired benefits.
 - vii.) Extent of monitoring.
 - viii.) Description of outreach actions to be taken to explain to public what is being done, why it is being done, and planned future actions.
 - ix.) Future actions to prevent the feeding need from recurring (e.g. hunts, fencing, habitat improvement projects, etc.).
 - 3.) Division Discourages Private Feeding Programs - The Division strongly discourages private individuals and/or organizations from implementing feeding programs. In emergencies, the public may be asked to assist the Division in emergency feeding.
 - 4.) Funding - The availability of funding will be a determining factor in approving emergency feeding programs. In the event of any extensive feeding initiative, funding for big game emergency winter feeding programs will be sought outside the standard Division budget.
- UDWR feeds approximately 600 elk per winter on the Hardware Ranch Wildlife Management Area in an effort to reduce damage to neighboring private lands and neighborhoods.

Oregon:

Elk Management:

- Oregon Department of Fish and Wildlife (ODFW) manages elk based on management objectives (MOs) for winter population size and post-season bull ratios in each Wildlife Management Unit (WMU) in the state. The Oregon Fish and Wildlife Commission first adopted MOs for most of Eastern Oregon in 1981. MOs were updated and adopted for all WMUs, except Alsea and Snake River, in 1994 after an extensive public input process.
- Management objectives for winter population size are targets that guide elk herd management. It is recognized that due to migration between summer and winter ranges in many areas, elk numbers can be different in summer than winter in many WMUs. Measurement of total numbers in any wildlife population is difficult. Any improvements in census and modeling methods that result in more accurate population estimates will be used by ODFW to update MOs.
- Management objectives will be reviewed every five years as required by statute.
- Post-season bull escapement MOs are management targets for the number of bulls/100 cows after the hunting season for each WMU.

Damage Prevention/Mitigation:

- Appropriate measures must be taken to assist farmers, ranchers and others in resolving wildlife damage problems.
 - A.) ODFW Wildlife Damage Policy;
 - 1.) Advice/Repellents
 - 2.) Hazing
 - 3.) Barriers/Fencing
 - 4.) Habitat Programs
 - 5.) Harvest Management
 - i.) Hunting Seasons
 - ii.) Landowner Preference Tags
 - iii.) Oregon Landowner Damage Program
 - iv.) Emergency Hunts
 - v.) Kill Permits

Winter Wildlife Feeding Policy and Operations:

- Harsh winter weather (i.e., deep snow and low temperatures) occurs periodically, primarily in Southeastern and Northeastern Oregon and for elk wintering at high elevations in the Cascades. Under severe weather conditions elk calves may suffer relatively high levels of mortality. Supplemental feeding to reduce mortality due to severe winter conditions is not desirable on a long-term basis and has a number of associated problems that include:
 - A.) Supplemental feeding may develop concentrations of animals that could increase the possibility of disease outbreaks and transmission and may cause damage to habitat resulting in long-term damage to the site.

- B.) Dependency on feed grounds may delay or diminish migration to traditional winter or summer ranges. Elk are then encouraged to return in large numbers each year to areas that do not have adequate winter habitat.
- C.) Supplemental feeding may maintain an artificially high elk population that will ultimately need to be reduced if the feeding program is interrupted.
- D.) Feeding may habituate elk to hay, causing them to seek out haystacks rather than natural winter forage. Some elk learn to remain near the feeding area during summer, causing damage to crops during the growing season.
- E.) Supplemental feeding is expensive. Funding is generally not available and may be better spent maintaining or enhancing natural habitat for long-term benefits to elk and other wildlife.
- F.) Supplemental feeding, to be effective, must be initiated prior to elk undergoing nutritional stress in order to allow rumen digestive organisms to adapt to a new diet. Once started, the program must be continued through the winter.
- G.) Funding mechanisms are not in place to buy feed and begin feeding in a short time frame when needed.
- Supplemental feeding may be effective in preventing winter elk damage to private property or in maintaining elk in areas where there is abundant summer range, but adequate natural winter range no longer exists. This may be the only means to maintain elk in such areas. Costly programs to save elk from starvation during severe weather generally are not effective in producing desirable results. Such programs are inefficient, divert public attention and funding from real problems, and can quickly cripple an agency's budget.
- ODFW operates wildlife feeding sites on several of its Wildlife Areas. These include Elkhorn Wildlife Area (1,400 elk and 800 deer), Wenaha Wildlife Area (1,400 elk and 750 deer), White River Wildlife Area (1,000 elk and 4,000 blacktail deer), and Jewell Meadows Wildlife Area (500 Roosevelt elk). Actual numbers of animals attending feeding operations annually depends on winter severity and population levels and damage mitigation efforts.

Washington:

Elk Management:

- The primary goal of the Washington Department of Fish and Wildlife (WDFW) is to manage for viable and productive elk populations with desirable population characteristics using the best available science. The WDFW measures elk populations using a variety of techniques. Techniques that work well in the more open habitats of eastern Washington may be of little value in areas that are densely forested. Population objectives defined in this plan are consistent with objectives defined in the respective elk herd plans. A realistic approach to the management of wild animal populations does not assume that the true number of animals in the population is known. Therefore, the preferred target for each elk herd is defined as the population objective plus or minus a range of 10%.
- Population objectives are determined by agency staff using a combination of factors that include:
 - A.) Current population estimates
 - B.) Harvest history
 - C.) Current harvest levels
 - D.) Currently occupied summer and winter range
 - E.) Current condition of available forage
 - F.) Nutritional status of elk, if known
 - G.) Current land use practices
 - H.) Number and location of elk damage complaints
 - I.) Landowner tolerance
 - J.) Hunter satisfaction
 - K.) Disease considerations
- Consistent with the primary goal, the secondary goal is to provide recreational opportunity and sustainable annual harvests that fluctuate somewhat due to weather conditions, hunter participation, the number and density of available legal animals, the number of special permits issued for a particular GMU, etc. Hunting seasons are designed to limit extreme fluctuations in sustainable harvests from year to year, although some aspects are out of the control of the WDFW.

Damage Prevention/Mitigation:

- Farming is a vital part of Washington's economy. The lands that support this industry also provide wildlife habitat and forage opportunities for deer and elk, which may result in crop damage. Landowner tolerance for deer and elk damage depends on how quickly and effectively the WDFW responds to mitigate damage. The WDFW is committed to providing technical assistance for minimizing and mitigating damage. Damage resolution may be achieved through use of non-lethal or lethal measures. Whereas the WDFW generally promotes the use of non-lethal measures prior to lethal action, there are occasions where lethal removal may be necessary. Washington residents historically have supported the use of hunting as a tool for damage prevention and mitigation.
- Respond to wildlife damage complaints to private agricultural crop lands within 72 hours, and increase the number of WDFW agreements used to mitigate deer and elk damage issues by 10% during the period 2015-2021. Strategies to achieve this include;

- A.) Provide agriculture producers with information materials to proactively address deer and elk damage issues and to improve the WDFW's ability to respond to agriculture crop damage from deer and elk.
- B.) Promote the use of WDFW agreements to commercial landowners and lessees, and encourage non-commercial agriculture landowners to use non-lethal conflict prevention measures identified on a prevention measures checklist.
- C.) Promote participation in conflict prevention/resolution by Treaty Tribes.
- D.) Use hazing and other non-lethal measures to resolve damage; with emphasis placed in areas where the feasibility of lethal action is limited or ungulate populations are below management goals.
- E.) Encourage recreational harvest in areas with chronic crop damage.
- F.) Implement actions to encourage private landowners to consider, purchase, and use deer/elk fencing as part of their new and long-term business practices.
- G.) Expand the use of cooperative fencing projects in chronic damage areas with an emphasis on high-value crops.
- H.) Facilitate the deer/elk depredation program (including agreements, permits, and claims process) to improve WDFW's response to landowners experiencing agriculture damage.
- I.) Assess the feasibility of using partnerships and cooperators to assist with crop damage issues.
- J.) Increase the number and accessibility of crop assessors on contract statewide.
- K.) Utilize agency kill authority and depredation permits for problem crop damage areas.

Winter Wildlife Feeding Policy and Operations:

- It is the intent of the WDFW that wildlife should exist under natural conditions supported by suitable habitat. Although artificial feeding may assist in wildlife winter survival, it should not generally be considered a substitute for lost habitat and feeding shall be done only in limited situations as prescribed by WDFW Policy 5302.
- Despite this intent, the WDFW maintains some historic supplemental feeding operations for wildlife. Supplemental feeding is defined by the WDFW as regular winter feeding operations to provide feed to wildlife where adequate winter habitat is not available and feeding is necessary to support the population level as identified in a management plan, or for specific control of deer or elk damage. The best example is the Yakima elk herd where winter habitat has been eliminated. Some historic winter habitat is currently growing high-value agricultural crops. These crops are at risk of damage by elk unless supplemental feeding is provided each winter. A large percentage of what is considered historic elk winter range before European settlement has been lost or altered due to agriculture and housing development. To prevent elk in the Yakima herd from causing agricultural damage, elk fencing was constructed and a winter feeding program was established decades ago. Elk winter-feeding programs can be problematic. They are expensive and cause elk to congregate at high densities, where they have a higher potential for spreading diseases and/or parasites. Elk that are fed in the winter can also have extreme impacts on shrubs, trees, and riparian zones near feeding sites.
- FEEDING WILDLIFE DURING THE WINTER: This policy applies to all WDFW employees except if policies and procedures are in conflict with or are modified by a bargaining unit agreement, the agreement language shall prevail.
 - A.) Definitions:

- 1.) Artificial feeding: The distribution of harvested feed for wildlife through either supplemental feeding or emergency feeding.
- 2.) Emergency feeding: The occasional feeding of wildlife, which the WDFW implements due to extreme winter conditions or a disaster such as fire or drought.
- 3.) Supplemental feeding: The WDFW's regular winter-feeding operations to provide feed to wildlife where adequate winter habitat is not available and feeding is necessary to support the population level as identified in a management plan, or for specific control of deer or elk damage.
- B.) WDFW May Provide Supplemental or Emergency Feeding for Wildlife Under the following conditions
 - 1.) To prevent and/or reduce deer or elk damage to private property (agricultural or horticultural crops).
 - 2.) To support a WDFW management plan.
 - 3.) To respond to an emergency as determined by the Director or the Director's designee.
 - 4.) To allow for the regeneration of winter habitat that has been severely damaged or destroyed by disaster, such as fire or drought.
 - 5.) For WDFW approved wildlife research or wildlife capture.
 - 6.) In areas or times where hunting seasons have closed.
- C.) The Director or Director's Designee Declares an Emergency Implementation of emergency feeding operations will begin after an emergency has been declared in a specific location of the state. The Director's Emergency Feeding Advisory Team will include the Assistant Directors of the Enforcement Program, Wildlife Program, and affected Regional Director(s).
- D.) WDFW Will Use the Following Factors to Determine Whether an Emergency Exists in a Specific Location of the State
 - 1.) Weather conditions and forecast: Includes conditions such as abnormally cold temperatures, extreme wind chill, snow depth, icing, or crusting over a prolonged period of time. Evaluation may also include the forecasted weather to reflect early arrival and projected duration of severe winter weather.
 - 2.) Concentration and distribution of wildlife: Includes assessment of wildlife patterns such as animals concentrated in unusually high numbers in a specific area or located in areas where they are generally not found.
 - 3.) Access to natural forage: Assessment of availability of natural forage, including factors that may limit access (such as snow depth, icing, or crusting)
 - 4.) Disaster: Includes description of disaster (such as fire or drought) and its impact on wildlife, such as winter range that has been severely damaged or destroyed. Feeding may be an option to provide adequate time for the recovery of wildlife habitat and subsequently reduce wildlife mortality.
 - 5.) Physical condition of wildlife: Evaluation to determine the physiological condition of animals, including experienced judgment by WDFW personnel based on knowledge of local wildlife. Evaluation may include bone marrow and kidney fat analysis to evaluate body fat reserves necessary for winter survival.
- E.) WDFW May Discourage Private Feeding of Wildlife
 - 1.) The WDFW discourages private feeding of wildlife where animals may become a problem or a nuisance, cause damage to property, or present a health risk.

- 2.) WDFW will provide the public with information on the appropriate way for winter-feeding of wildlife (i.e., deer, elk, upland birds, songbirds).
 - 3.) WDFW may provide feed in those situations where private actions will complement agency staff supplemental or emergency feeding.
 - F.) WDFW Will Accept Donations to Help Pay for Emergency Winter Feeding
- WDFW feeds approximately 1,200 elk yearly (but up to 8,000 elk in severe winters) at seven locations on the Oak Creek and Wenaha Wildlife Areas in an effort to offset loss of native winter ranges in the Yakima Valley.

References

Wyoming:

- Demaree, John R., *Big Game Depredations and Damage Compensation in Wyoming* (1985). Great Plains Wildlife Damage Control Workshop Proceedings. 163. Lincoln, Nebraska, USA.
- McWhirter, D., Scurlock, B., Wise, B., Rogerson, J., Hovinga, B., Lund, J., Allen, S., Van Wick, P., Edwards, H., & Gocke, M. (2021). *Elk feedgrounds in Wyoming*. Wyoming Game and Fish Department (in review). Cheyenne, Wyoming, USA.
- U.S. Fish and Wildlife Service. (2007). *Final Bison and Elk Management Plan and Environmental Impact Statement, National Elk Refuge and Grand Teton National Park: Volume 1*. USFWS. Jackson, Wyoming, USA.
- Wyoming Game and Fish Department (WGFD). (2006). *Supplemental Feeding of Elk/Wild Bison, WGFC Policy VII D*. Wyoming Game and Fish Department. Cheyenne, Wyoming, USA.
- Wyoming Game and Fish Department (WGFD). (2018) *Chapter 28 – Regulation Governing Big or Trophy Game Animals of Game Birds or Grey Wolf Damage Claims*. Wyoming Game and Fish Department. Cheyenne, Wyoming, USA.

Idaho:

- Idaho Department of Fish and Game (IDFG). (2013). *Winter Feeding Policy Statement*. Idaho Department of Fish and Game. Boise, Idaho, USA.
- Idaho Department of Fish and Game (IDFG). (2014). *Idaho Elk Management Plan 2014-2024*. Idaho Department of Fish and Game. Boise, Idaho, USA.
- Idaho Department of Fish and Game (IDFG). (2020). *A Landowners Guide to Preventing Big Game Damage and Filing Damage Claims*. Idaho Department of Fish and Game. Boise, Idaho, USA.

Montana:

- Montana Department of Fish, Wildlife and Parks (FWP). (1978). *Big Game Winter Feeding Policy*. Montana Department of Fish, Wildlife and Parks. Helena, Montana, USA.
- Montana Department of Fish, Wildlife and Parks (FWP). (2004). *Montana Statewide Elk Management Plan*. Montana Department of Fish, Wildlife and Parks. Helena, Montana, USA.
- Montana Department of Fish, Wildlife and Parks (FWP). (2013). *Private Land Technical Assistance*. Montana Department of Fish, Wildlife and Parks. Helena, Montana, USA.

Colorado:

- Colorado Division of Parks and Wildlife (CPW). (2015). *Emergency Winter Feeding and Baiting of Big Game Ungulates*. Colorado Division of Parks and Wildlife. Denver, Colorado, USA.

Colorado Division of Parks and Wildlife (CPW). (2019). *Chapter W-17 – Damage Caused By Wildlife*. Colorado Parks and Wildlife. Denver, Colorado, USA.

Colorado Division of Parks and Wildlife (CPW). (2020). *FY20 Game Damage Annual Report*. Colorado Parks and Wildlife. Denver, Colorado, USA.

Utah:

Utah Division of Wildlife Resources (UDWR). (2011). *Emergency big game winter feeding policy W5Wld-02*. Department of Natural resources, Utah Division of Wildlife Resources. Salt Lake City, Utah, USA.

Utah Division of Wildlife Resources (UDWR). (2015). *Utah Statewide Elk Management Plan*. Department of Natural Resources, Utah Division of Wildlife Resources. Salt Lake City, Utah, USA.

Utah Division of Wildlife Resources (UDWR). (2017). *Administrative Rule R657-44, Big Game Depredation*. Department of Natural Resources, Utah Division of Wildlife Resources. Salt Lake City, Utah, USA.

Oregon:

Oregon Department of Fish and Wildlife. (2017). *Elkhorn Wildlife Area Management Plan*. Oregon Department of Fish and Wildlife. Salem, Oregon, USA.

Oregon Department of Fish and Wildlife. (2017). *Jewell Meadow Wildlife Area Management Plan*. Oregon Department of Fish and Wildlife. Salem, Oregon, USA.

Oregon Department of Fish and Wildlife. (2017). *Wenaha Wildlife Area Management Plan*. Oregon Department of Fish and Wildlife. Salem, Oregon, USA.

Oregon Department of Fish and Wildlife. (2018). *White River Wildlife Area Management Plan*. Oregon Department of Fish and Wildlife. Salem, Oregon, USA.

Oregon Department of Fish and Wildlife. (2021). *Elk Damage on Private Lands*. Oregon Department of Fish and Wildlife. Salem, Oregon, USA.
<https://olis.oregonlegislature.gov/liz/2021R1/Downloads/PublicTestimonyDocument/8757>

Washington:

Washington Department of Fish and Wildlife (WGFW). (2006). *Oak Creek Wildlife Area Management Plan*. Wildlife Management Program, Washington Department of Fish and Wildlife. Olympia, Washington, USA.

Washington Department of Fish and Wildlife (WDFW). (2015). *Game Management Plan, July 2015-June 2021*. Wildlife Management Program, Washington Department of Fish and Wildlife. Olympia, Washington, USA.